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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 STACIE FREYE,

9 Plaintiff,

v.

10 TARGET CORPORATION,

11 Defendant.

CASE NO. C19-5449 BHS

ORDER DENYING PLAINTIFF'S
MOTION FOR PROTECTIVE
ORDER

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13 This matter comes before the Court on Plaintiff Stacie Freye's ("Freye") motion
14 for a protective order. Dkt. 13.

15 On April 17, 2019, Freye filed a complaint against Defendant Target Corporation
16 ("Target") in Thurston County Superior Court for the State of Washington. Dkt. 1-1.
17 Freye seeks damages for injuries sustained from a fall in a Target store in Lacey,
18 Washington. *Id.*

19 On November 1, 2019, Target served a notice of deposition on Freye's attorney
20 requesting a deposition in Washington. Dkt. 13 at 1. On November 20, 2019, Freye filed
21 the instant motion requesting that the Court either quash the notice or order that the
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1 deposition occur in Costa Mesa, California where Freye currently resides. *Id.* On
2 November 27, 2019, Target responded. Dkt. 16. Freye did not reply.

3 “‘As a normal rule plaintiff will be required to make [herself] available for
4 examination in the district in which [she] has brought suit’, and costs are not allowable
5 absent ‘good cause.’” *Detweiler Bros., Inc. v. John Graham & Co.*, 412 F. Supp. 416,
6 422 (E.D. Wash. 1976) (quoting 8 Wright and Miller, § 2112 at 404–06)).

7 In this case, Freye has filed suit in this district and has failed to establish
8 significant hardship to quash the request to appear for a deposition in this district.
9 Therefore, the Court **DENIES** Freye’s motion for a protective order.

10 In its response, Target requests an order requiring Freye to attend both the
11 deposition and a medical examination in Washington on mutually convenient dates. Dkt.
12 16 at 4–5. The Court rejects this request as being improperly presented in a response.
13 However, the Court expects the parties to work together to coordinate the deposition and
14 exam as to minimize Freye’s time in Washington and hardship she will experience by
15 being required to appear in this district.

16 **IT IS SO ORDERED.**

17 Dated this 16th day of December, 2019.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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